The Open Court.

A WEEKLY

Devoted to the Work of Conciliating Religion with Science.

Entered at the Chicago Post-Office as Second-Class Matter.

OFFICE, 169—175 LA SALLE STREET.

No. 101. Vol. III.—23. CHICAGO, AUGUST 1, 1889. Two Dollars per Year. Single Copies, 10 cts.

CONTENTS:

THE OPEN COURT.

PUBLISHED EVERY THURSDAY BY

THE OPEN COURT PUBLISHING CO.

EDWARD C. HEGELER, PRESIDENT. DR. PAUL CARUS, EDITOR.

TERMS THROUGHOUT THE POSTAL UNION:

$2.00 PER YEAR. $1.00 FOR SIX MONTHS.
$0.50 FOR THREE MONTHS. SINGLE COPIES, 10 CTS.

All communications should be addressed to

THE OPEN COURT,

(Nixon Building, 175 La Salle Street,)

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DEFINITIONS EXPLANATORY OF THE POSITION OF "THE OPEN COURT."

THE DATA of experience are perceptions.

REALITY is the sum total of all that is.

TRUTH is the conformity of cognition to reality.

[Truth being a relation between subject and object appears to be relative in its nature. Absolute truth is a self-contradiction; it would imply cognition without a cognizing subject.

At the same time it is obvious that absolute existence (in fact everything absolute) is impossible. Reality is properly called *Wirklichkeit* in German, derived from *wirken*, to take effect. Reality is not immovable and unchangeable absoluteness, but the effectiveness of things in their relations. Reality therefore implies not only existence, but the manifestation of existence also. Existence and its manifestation are not two different things; both are one.

The idea of something absolutely Unknowable is therefore also untenable; it would imply the existence of an object whose existence is not manifested *i. e.*, existence without reality; *Sein ohne Wirklichkeit*—which is a contradiction, an impossibility.]

SCIENCE is the search for truth.

The nature of science is the economy of thought. (*Mach.*)

Economy of thought is possible through application of the laws of form to thought.

KNOWLEDGE is the possession of certain truths.

[Knowledge is, so to say, the present stock or capital with which Science works. Science cannot exist without knowledge. The object of Science is not only to increase and enlarge knowledge but also to purify the present stock of knowledge from vagueness, errors, and misconceptions.

The purpose of knowledge is that of increasing our power over nature.]

MONISM is that philosophy which recognizes the oneness of All-existence, and the Religion of Monism teaches that the individual, as a part of the whole, has to conform to the cosmical laws of the All.

RELIGION is man's aspiration to be in harmony with the All.

[Religion has been defined differently in the columns of THE OPEN COURT, but all definitions that have been presented are in strict agreement. Mr. Hegeler in No. 25, defines Religion as "man's union with the All" (taking the definition from the Lutheran Catechism "Religion ist der Bund des Menschen mit Gott durch Gott," and replacing the Word GOD by the more comprehensive word THE ALL). The editor has defined Religion as "man's consciousness of his relation to the All" (No. 24); as "Das Allgefühl im Einzelnen," the All-feeling in the individual (see foot-note page 965); as "man's conception of the world that serves him as a guiding-star through life" (page 1180).]

MORALS are man's conduct in so far as it is in unison with the All.

[The basis of morality is religion. A moral educator or preacher may justly be asked, "On what authority dost thou justify thy precepts?" And he will tell us that his authority is not personal; he speaks in the name of universal order. Accordingly his authority is that of religion. If it were not so, all his good precepts would have no foundation; they would hover in the air like beautiful dreams that have no reality.]

ETHICS is the Science of Morals; it teaches man why he must, and how he can, regulate his conduct so as to be in unison with the All.

Natural history and the history of mankind prove that here on earth a constant progress takes place developing ever higher forms of existence.

Morally good are those acts which are in harmony with the All, *i. e.*, those which enhance progress, and *morally bad* are those which are not in harmony with the All, *i. e.*, those which retard or prevent progress.

[Religion (man's aspiration to be in unison with the All) has naturally produced many superstitious notions in the world, of its origin, and of its purpose. Similarly, science (man's search for truth) has produced many errors or false notions of reality. But all the superstitions of religion do not prove that religion as such is an illusion, and all the errors of science are no evidence that science as such is a sham.

It is obvious that religion and science, as here defined, are not contradictory to, but complementary of, each other. If religion and science do not agree, it is a certain sign that our conception of either the one or the other is wrong. The history of the human mind has been one of constant conflict and reconciliation between religion and science. Their relation has repeatedly been disturbed and re-adjusted.

The unitary conception of the world affords the only basis for the union of Religion and Science, and opens a new vista of progress for both.]

RECENT CONTENTS OF "THE OPEN COURT."

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THE RELATIONS BETWEEN THE TWO CONSCIOUSNESSES OF HYSTERICAL INDIVIDUALS.*

BY ALFRED BINET.

Whenever we chance to discover a new fact, we seldom describe it correctly. As a rule, we regard it as simpler than in reality it is. The observers who first investigated double consciousness in hysterical persons occupied themselves particularly with putting in a clear light the phenomenon of the separation of the two consciousnesses; this was, in fact, the first thing to be done. But the study of the numerous relations existing between these separate consciousnesses was almost entirely neglected. It is our purpose, in this paper, to recapitulate and present, in an abridged form, the results of investigation on this topic; and I am convinced that some day it will furnish the clue to a great number of phenomena of mental alienation. Inward voices supposed to be heard by demented individuals, their fixed and impulsive ideas, the delirium of possessed persons, are very probably phenomena produced by the doubling of consciousness, and by the influences that one of the consciousnesses exerts upon the other.

For the time being we shall remain true to the methods that we have followed in our previous study. We shall eliminate all complex and ill-defined observations and adhere, by preference, to small, simple, and precise experiments, easy of repetition, which, without teaching us the phenomena in their total development, at least yield an imperative proof of their reality, which certainly must be regarded as a decided advantage.

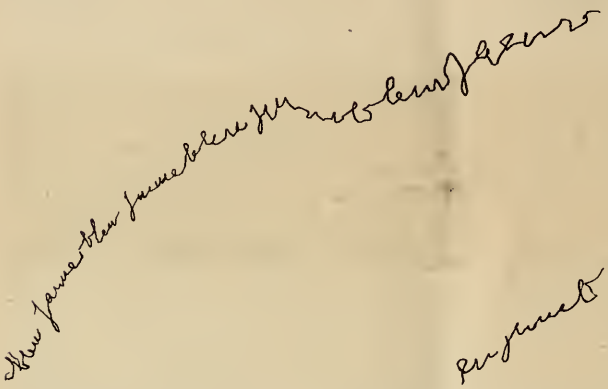
Automatic writing furnishes the first illustration of the relations between the two consciousnesses. It is a most important phenomenon and is worth the trouble of being carefully studied. An examination of the scientific collections of England and America shows that in those countries the subject is frequently investigated. Professor William James has recently sent me a work in which he recapitulates certain very curious experiments performed by him upon normal individuals, or, at least, individuals who were supposed to be such. The results obtained by him afford me particular interest, since they closely resemble those obtained by myself with hysterical individuals.

* Copyrighted under "Psychological Studies."

Automatic writing forms part of a class of movements that have now for a long time been the subject of inquiry in France, and which may be described under the general name of unconscious movements produced by ideas. As a result of numerous observations it is now a well-known fact that with excitable individuals every idea produces in the body unconscious movements which at times are so precise and clear, that by registering them we are able to guess at the person's thoughts. The method of the experiment is frequently the following. The individual is asked to think of a word, a number, or of any object whatsoever, and at the same time a pen is thrust into his hand, with the assurance that his thoughts will be divined. It frequently happens then, that the person, although not feeling any movement in his hand, will spontaneously write the word that he has thought of. This experiment affords an elementary instance of the operation known as thought-reading, and we at once understand how any clever experimentalist may be able to dispense with the use of the pen, and to guess at a man's thought by simple contact with the hand.

As might be readily expected, such movements provoked by ideas are produced in hysterical persons with the greatest facility. When a pen-holder is placed in the hand of an anæsthetic subject, the automatic writing will be produced without his knowledge, and we are thus able to learn the most secret thoughts of the patient. A careful study of these movements will furthermore prove, that they are less simple than is generally supposed. They are no mere reflex-movements produced by ideas. This is proven by the fact that the manner in which the idea is expressed depends upon the attitude given to the anæsthetic hand. Thus, we ask the subject to think of the number 3. If he holds a pen in his hand he will write the figure 3. If he has no pen, and if before the experiment we have several times shaken the fingers of the insensible hand, the subject will raise his finger three times; the same will apply to the wrist or to the movement of any other member. If the subject has a dynamometer in his hand he will press three distinct times upon this instrument. If the experimentalist himself assumes the initiative by raising the finger of the subject a certain number of times, the finger after having yielded three times to the impressed movement will stiffen, as

if it thus wished to inform the experimentalist of the number that had been thought of. All these experiments, and particularly the last, show the intervention of the second consciousness in the expression of the idea of the number three. The first consciousness furnishes the idea, and the second consciousness determines the manner in which the idea shall be expressed; there is, accordingly, a concurrence of the two consciousnesses, a collaboration of the two egos for one common task.



Automatic writing of a patient called Lavr . . . . ., an hysterical subject totally anæsthetic. The patient gazed fixedly at a blue cross; the position and arrangement of the cross, by simultaneous contrast, caused the production of a yellow color about the cross. During this time the right hand, into which, without the patient's knowledge, a pen had been slipped, did not cease to write: "*bleu* (blue), *jaune* (yellow), *bleu, jaune, etc.*".

By a singular phenomenon the automatic writing does not limit itself to making known what takes place in the principal consciousness of the subject; it is at the same time in the service of the second consciousness, so that, according to the nature of the cases at issue, the first consciousness sometimes directs the hand of the subject and at other times the second consciousness. We have collected several observations which leave no doubt on this point. Let us begin with the very simplest.

Letting the subject hold a pen in his anæsthetic hand, we trace a letter, or some such sign, upon the back of the hand. The automatic writing will at once reproduce the word that has been traced; the word itself, be it understood, not having been perceived by the principal consciousness, because the excitation was performed upon the skin of an anæsthetic member, and because anæsthesia in some way is the barrier separating the two consciousnesses. If the word has been reproduced, it accordingly must be because the second consciousness has perceived it, and consequently this simple experiment proves that the second consciousness can express itself by automatic writing.

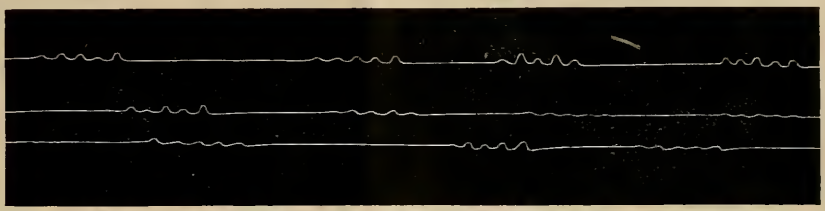
It may be remarked, in passing, that automatic writing affords us a very convenient means of exploring the sensibility of any apparently anæsthetic limb; and we are also able by employing this method to measure the sensibility with an æsthesiometer. In fact, nothing is simpler. Let us prick the insensible hand with one of the points of a pair of compasses: the automatic writing will trace a single point. Thereupon let us apply at the same time both points, and the automatic writing, after a little practice, will be able to tell us whether the points have been distinguished or confounded; their distance apart, in millimeters, will give us the respective degree of sensibility. Every time that I applied this method to hysterical subjects I was able to verify that notwithstanding anæsthesia sensibility had remained normal; we can easily understand that the contradiction here is only in the terms employed.

Automatic writing does not only serve to express sensations perceived by the second consciousness; it is likewise able to express the thoughts that this second consciousness spontaneously combines. Hysterical persons have been found who, when a pen was put into their hands and their attention diverted, began to write, unconsciously, entire well-connected phrases, recitals, confessions, etc. The principal subject —the one with whom we communicate by word—suspects nothing, and does not see what his anæsthetic hand is doing; it is the second consciousness which employs this mode of expression. I myself have made this experiment upon a subject, and other authors have likewise reported several instances.

The latter form of experiment is evidently the one that approaches nearest to the experiments upon automatic writing which at the present time are being conducted in England and America. They consist in asking a person to place his hand upon a planchette that can serve for the purposes of writing and to remain immovable without thinking of anything. When the subject is nervous it will sometimes happen that the planchette becomes agitated and begins to write thoughts entirely foreign to the subject; the latter remains motionless and has no consciousness of anything. It may be assumed, with great likelihood, that under such conditions an intellectual doubling of the subject takes place, analogous to that which we have observed in our hemi-anæsthetic, hysterical patients. Only, in the case of an hysterical individual, the doubling is easier, in consequence of the insensibility which reigns in a part of the body; it being easily comprehensible that the acts of the second consciousness, produced by preference in the insensible regions, remain

unknown to and concealed from the principal consciousness. It may happen, however, with certain non-hysterical subjects that experiments of doubling bring about a transitory anæsthesia, and Mr. W. James has recently observed, that while one of his patients was writing with the planchette he did not feel the painful excitations inflicted upon his arm, whereas the second consciousness perceived them distinctly, and complained of the same by means of the automatic writing.

Such complications of phenomena produce consequences which it is easy to foresee. It may happen that at the moment at which the principal consciousness wishes to write a word, the second consciousness may have the same intention, and may wish to write an entirely different word: hence a conflict. A very simple experiment will illustrate this conflict. Let us seize the anæsthetic hand, and let us cause it to trace behind a screen the word "Paris." We know that this word will be repeated several times. Thereupon addressing ourselves to the principal subject, we will ask him to write the word "London." The subject, entirely ignorant of what has just taken place, eagerly seizes the pen with the intention to carry out our wish, but to his utter astonishment the indocile pen instead of writing London, writes Paris. Is not this a phenomenon analogous to those irresistible impulses which, in madness, consciously reveal themselves,—impulsions to theft, murder, arson, etc., which suddenly manifest themselves to the great surprise of the patient, the latter submitting to the impulse without comprehending it. It is evident that these kinds of experiments are destined to throw a flood of light upon several still obscure points of mental pathology.



Experiment performed upon P. Sch . . . ., hysterical, hemi-anæsthetic right hand. The subject, with eyes closed, holds in his right insensible hand a rubber tube fastened to a registering apparatus. We ask the patient to think of a number, and not to make any movement. It may be seen from the above tracing that the patient from time to time squeezes the tube that he holds in his hand five successive times; this movement is at the same time involuntary and unconscious. Minimum velocity of the cylinder, a complete revolution in one minute.

In the preceding exposition we have studied the motory relations of the two consciousnesses; we have seen them either uniting their efforts to accomplish the same act, or conflicting with regard to something to be accomplished. But there exists a second kind of relations between the two consciousnesses; namely, the relations of sensations and of images. It may happen that the sensation which has possession of a first consciousness awakens an associated image in the second consciousness, so that, by a unique intellectual process, one of the parts will be conscious for one of the egos, and the other for the second ego. The facts pertaining to this order of relations are extremely curious and instructive. We shall limit ourselves to those that are the simplest and most easily produced.

Let us once more turn our attention to an anæsthetic, hysterical patient; we will make a series of impressions upon his insensible hand; our subject feels absolutely nothing. It would, accordingly, be idle to ask him how many impressions we have made, because he does not even suspect that his hand has been pressed. And yet, the highly extraordinary fact remains, that the subject, although apparently not having felt anything, possesses an idea of the number of excitations that have been made upon him. The following is proof: Let us make ten punctures in the insensible hand and thereupon let us ask the subject, who, as a matter of course, has not seen his hand, which is hidden behind a screen, to think of some number and to name it; very frequently the subject will answer that he is thinking of the number ten. In the same manner let us put a key, a piece of coin, a needle, a watch into the anæsthetic hand, and let us ask the subject to think of any object whatsoever; it will still happen, yet less frequently than in the preceding experiment, that the subject is thinking of the precise object that has been put into his insensible hand.

It is important to note, that in all these cases the subject believes he is thinking voluntarily and without constraint; the experimentalist, while compelling him to think of the number ten, not depriving him of the illusion of his freedom of will.

How shall we explain this result? How is it possible that, in consequence of an excitation not felt, the subject should have a determined idea? We shall be able to explain everything by supposing simply, that the unconscious peripheral excitation, for example the puncture of the anæsthetic hand, awakens, by way of association, corresponding phenomena of ideation. But in reality matters are more complex. We have to admit rather, that when we excite the anæsthetic hand, in different ways, by puncture or by contact with an object, the second consciousness perceives the sen-

sation, counts the punctures, recognizes the object, and, for the purposes involved, abandons itself to more or less complicated intellectual acts. These intellectual acts are the final stage of the process, which has had its origin in a sensation; now this final point, this result, this conclusion is the thing that alone penetrates into the first consciousness. For example, when punctures are made in the skin, one of the consciousnesses counts the sensations, finds their sum total, and this sum-total it is that reaches the other consciousness, not indeed under the form of tactile sensations, but under the abstract form of a number.

To sum up. From the foregoing we perceive that the separation of the two consciousnesses does not interrupt all communications between them. The associations of ideas, of images, perceptions, and movements, that is, of all that pertains to the sphere of lower psychology, is preserved nearly intact; and hence an idea in the first consciousness provokes a movement in the second, and inversely, a sensation perceived by the second consciousness can awaken an idea in the first consciousness.

In the next number we shall apply these results to the study of the hysterical eye.

MONISM AND EVOLUTION.

REMARKS BY THE REV. H. H. HIGGINS AND MR. EDWARD C. HEGELER.

In a recent communication to Mr. Edward C. Hegeler, the Rev. H. H. Higgins, President of the Literary and Philosophical Society of Liverpool, and likewise an honored contributor to The Open Court, gives expression to a thought in criticism of Monism which, though not intended for publication, we deem it violative of no principle of etiquette publicly to present and answer. The pertinent and fearless manner in which Mr. Higgins has stated his remarks, will of itself afford a justification.

Mr. Higgins speaks of his admiration for Mr. E. P. Powell, and the merit of Mr. Powell's work, "Our Heredity from God," continuing: "With all his "faults, and they are many, he is a child of nature "still, and so, I think, are you; but with a stern sense "of the inevitable in the millstone-grit of Monism, "into which if we are absorbed by intussusception, or "any other process, good-bye for us, sweet evolution, "and let the sun mercifully grow cold at once."

To which, in reply, Mr. Hegeler remarked: "You "compare Mr. Powell's 'Our Heredity from God' "with our Monism. The words 'our heredity from "God' are dualistic still; '*we are phenomena of God*' "(meaning the All therewith), is the definition from "our standpoint. In this view your words 'good-bye "for us, etc.' will not do.

"The higher form of life,—comparing ours to that "of savages and animals,—has come through work "and struggle; and through such, with the avoidance "of waste and useless effort, and the greater efficiency "of the quantity of work at our command through "science, a much higher life is still to come. And "an immense time is still in store for that; as Geology, "Astronomy, etc. show. Inevitably this is to be "the course of events. If our race does not follow "this course another will—our race perishing.

"As long as the sun shines upon our earth as now, "the same quantity of life will,—I have a right to this "conclusion,—be in action here. But the quality of "life can change and if, as the end of earthly evolu- "tion, the sun does grow cold and the quantity of life "gradually decreases on earth, let us work and strug- "gle for a higher quality of life up to the end without "any reservation. Perhaps we shall fall in battle at "the zenith of earthly evolution contending for that "higher quality of life."

THE MODERN FRANKENSTEIN.*

BY GEORGE M. GOULD, M. D.

(*Concluded.*)

Among the causes tending in the individual, to produce slight, oft-repeated, and conscious infringements of moral and psychological laws, not a few must be laid to the charge of the biological laws under which we have arisen and exist. The presence of the grinning death's-head behind every smile and at all our feasts; the incertainty of the modern mind as to life's continuance, and even as to the goodness at the heart of things; the stupendous and execrable tricking of every personality by the *duperie* of sexual passion; the subtle and inscrutable diseases lurking everywhere to pounce upon us; the earthquake, storm, cold and pest bringing palsy to endeavor, and ruin to labor; the hunger and the animal appetites always to satisfy or conquer—all these are but indications that life is a warfare, and that our cosmic father has designs and facial lineaments very different from those of Christian benignancy. *Sunt lacrimæ rerum.* In the struggle of life, the weak, the unlucky—for what else can you call many such?—give away mentally or morally, give way under these diabolical teasings or downright thunderbolts of destiny, and man answers nature's inhumanity and brutality and trickery, with the same arguments: ὁ λόγος σὰρξ ἐγένετο,—the word became flesh;—the criminal and the shattered mind are in these cases the products of nature's inscrutable inethicality, children of a strangely cruel parent, which the remaining strong and honest have to care for. And thus burden begins.

But this part of our burden is a small one in comparison with that chargeable to society's wronging of the individual. It is the oldest, truest of truths: man is man's worst enemy. When one looks out over history, through the long catalogue of bloody and iniquitous centuries, when one looks among the present nations with their standing armies of professional killers, their protective tariffs, their monopolistic laws and *laissez-faires*, their crime-breeding and lunacy-nursing deviltries, one almost feels like the old pessimist who wished he could go to the moon in order to be able to spit upon the whole human race at one time. Take a couple of instances: both examples of crime and mental-disease producing agencies of portentous power and both wholly remediable: Do you know that hundreds of thousands of English men and women are

* Read before the Medical Jurisprudence Society of Philad'a, May 14, '89.

dying from starvation, disease, and slavery, at from 10 to 25 cents a day for ceaseless 12 to 16 hours of daily toil?* Unless they do this, the choice for women is between death and harlotry; for the men between death or crime; for both it is death or disobedience to moral or mental laws. Do you know that whilst this is so, there are many ignorant little monkeys annually making more money as horse-jockeys than we give the President of these United States. Beaconsfield said that "the Turf was a vast engine of national demoralization," and Runciman, who believes heartily in horse-racing, says, "our faith, our honor, our future as a nation, are being sacrificed" to this spirit of gambling and corruption bred directly and kept up by the race-course.†

This is but one instance of the way we allow the gambling spirit to ruin a nation, our "poor best," Christian England. We, in our own way, are going the same road. We have our Louisiana Lottery, and in every city and hamlet of the land, our bucket-shop. Faro is unfashionable, but never was more cowardly and hypocritical gambling so ruinously wide-spread as now. Cock-fighting and dog-fighting are the noble amusements of a large portion of the American people, and we spend more on those amazing and nauseating things, the comic opera that is unmusically tragical, the variety theatre that is without variety, and the actresses that do not act, than upon education, and religion, and good government combined.

Take as another example the question of prohibition. It has been tried in three States. After 36 years the best citizens of Maine are as a unit in favor of continuing it.‡ The picture may be a little overdrawn but *The Medical and Surgical Reporter* says: "The effect of prohibition in Kansas is indicated in a recent article in the *Topeka* (Kansas) *Capital Commonwealth*, replying to questions in regard to the effect of the prohibitory liquor-law in that State and the sentiments of the citizens in regard to it. From this article we learn that drunkenness and crime have diminished 80 per cent. since the saloons were closed in Kansas; that pauperism has decreased very materially, while the welfare of the people and the prosperity of the State have improved in equal proportion."

In his farewell address to the Kansas Legislature last January, Governor Martin said that no observing and intelligent citizen has failed to note the beneficial results already attained. Nine-tenths of the drinking and drunkenness prevalent eight years ago has been abolished. Crime has diminished enormously; thousands of homes where vice, and want, and wretchedness once prevailed are filled with peace, plenty, and contentment. Although the population has increased rapidly, the number of criminals in jail has decreased steadily. Many of the jails are empty, and all show a marked falling off in the number of prisoners they contain. In the capital city (Topeka) with 60,000 inhabitants, not a single criminal case was on the docket when the then present term of court began. The business of the police courts had dwindled to one-fourth of its former proportions, and in the cities of the second and third class the occupation of the police courts is practically gone." But we have to remember that these are but three States out of forty, and that drink and rum pursue their course the world over.

In the same way, turn wheresoever we may, we find the same ruthlessness and recklessness. Harlotry is permitted and is a festering source of moral and physical corruption and infection in the heart of every city. Faith-cure, quackery, medical mascottery and hoodooism are actually fashionable in a certain world of elegance and ignorance. Political bribery and official malfeasance is the joke of the day, and both joke and boodler are the disgrace of American life; he who bribes the most and the most slyly is rewarded with the highest offices in the land. Capital nursed by monopolies and protective tariffs and other discriminating laws buys its way to the votes of legislatures, governors, and judges, and breeds hate and crime in the hearts of the oppressed. "Civilized poverty," says Duncan, "is the bot-bed of insanity." We may curse nihilism, scorn socialism, sneer at co-operation, ignore Henry Georgeism, pooh-pooh profit-sharing, eat our good dinner and be indifferent to the whole economic pother of the "idealists," but only one who combines the qualities of an ass with those of an hyena can forget or deny that a civilization is unjust and doomed wherein thousands of *roués* and rake-hells can live lives of debauchery, idleness, and luxury, whilst the millions who feed them drag out their sad days in want, wretchedness, and ceaseless toil.

Now the moral of all this is that these things, one and several, by the consent of all statisticians, economists and psychologists, are profound, persistent, and necessary causes of crime and insanity. The maxim of Quetelet that society prepares crime whilst the criminal only executes it, is of course but a partial truth, but it is a great, a solid, and an unconquerable truth. There is no escape from a social or communal responsibility in the production of law-breaking and mental wreckage. And it is precisely this secret, subtle, haunting sense of guilt in the public conscience that lies at the bottom of the disgusting tendency at which medicine has simpered and ogled, to cry, "Poor fellow, he was crazy; he shouldn't have brained his baby, but he was not responsible. Let's build him a nice big asylum, and feed him, and hire attendants and doctors to wait on him. If he amuse himself knocking the attendants over the head, and tearing their clothes off, the black-eyed attendant must only smile and say, "Poor fellow!"

We shall soon illustrate in a large historical way the mediæval story of the peasant and his son who returning one evening past the gibbet noticed that one of the wretches that had been condemned "to die upright in the sun" was wriggling about not dead. In pity they cut him down, resuscitated him and took him home. He soon proved such a worthless, workless, thieving lout that 'i' the dark o' the moon' they took him back in disgust, and strung him up again on the gibbet.

The expert on the witness-stand prostituting the name of medicine and of science to cover some scoundrel with the tear-proof cloak of insanity is a sorry sight indeed. He may be sincere and honest; if so, our verdict would be that of the Welch jury: "not guilty; but we recommend him not to do it again." It reminds one of what the joker said of a glass-eye: Every body can see through it except the wearer. In considering the subtileness and intricacies of their diagnoses, so well as the contradictoriness of the testimony of rival experts, one thinks of the cannibal chiefs' reply as to what had become of the missionaries.

*See *Lancet*, for example, March 9, 1889, as to the wages of the chain and nail-makers of Cradley Heath.

†One hundred thousand dollars or a million, are frequently made or lost by a single man or company at a single race, by jockeying a horse, or creating an abscess in his jaw. This is Runciman's picture of but one of many of the strata of social crime created by this engine of pollution: "People hardly believe that there are thousands of sturdy, able-bodied men scattered among the great towns and cities, who have never worked and who never mean to work. In their hoggish way they 'feed well and lie warm,' and they subsist like odious reptiles fed from mysterious sources. Go to any suburban race-meeting and you will fancy that Hell's tatterdemalions have got holiday. Whatsoever things are vile, roguish, bestial, abominable, belong to the race-course loafers. To call them thieves is to flatter them, for their impudent knavery transcends mere thieving; they have not a virtue; they are more than dangerous, and if ever there comes a social convulsion, they will let us know of their presence in an awkward fashion, for they are trained to riot, fraud, bestiality and theft on the frioge of the race-course. * * * The country swarms with clubs where betting goes on all day and sometimes all night. The despicable dupes are drawn in one after another; agonized parents pray for help; employers chafe at the carelessness and preoccupation of their servants. The dupes sink to ruin unpitied and still the crowd steps on to the brink of the chasm. * * * Our faith, our honor, our future as a nation, are being sacrificed." (*Contemp. Rev.*, April, 1889.)

‡There is report that, as an offset to the good results in Maine, more opium is used in that State than in a dozen others combined, and one druggist in Portland is said to have sold 25,000 hypodermic morphine syringes in the past few years.

"Alas!" he said, "they gave us so much good advice, we *had* to put them to death mercifully."

In the old days of the childhood of the race the troubled conscience got rid of communal responsibility by heaping its sins metaphorically on a poor little goat or sheep and shoo-shooing it over a precipice. It was crude; it was a funny bit of psychological legerdemain; it was hard on the goat, but—it was satisfactory. Modern scape-goat worship is a poor substitute. It also is crude, and it is jugglery, but is unsatisfactory. The future will see through the trick and will find it horribly expensive. The Chinese way is doubtless a little of the opposite extreme, but it doesn't load up the future: they regard insanity not as an extenuating, but as an aggravating circumstance in connection with crime.*

There is another reason why the communal conscience and responsibility cannot be downed. Not only do we make bad laws, fail to make good laws, and leave good laws unexecuted, but we are more or less conscious that the community is full of unarrested, unpunished criminals and insane. As every brain and skull, rigidly considered, is atypical to some extent, so every one is guilty of more or less scoundrelism; we are all a little daft. Often, too, the difference between the criminal behind iron bars and the criminal behind social custom is simply a difference of intellect. The first simply got caught. Maudsley well says, "There is a sort of tacit conspiracy in the social world to believe itself more virtuous than it is." This also coincides with the common impudence that tries to make crime and mental disease the result of ignorance and humble social position, the fact, of course, being the exact reverse. Modern education and modern wealth are at last but a sort of taking down the bars, and a training in jumping, whereby selfishness may get into forbidden clover. The sharp, educated, super-refined urban population would rot in its weakness and corruption if the stupid, honest country lads and lassies did not transfuse their blood and virtue and health into its veins every day.

To sum the matter up: Is the origin of crime and mental disease to be sought in the individual or in the influence of the environment? Undoubtedly in both, but it agrees with what evolution teaches as to the origin of faculty, and it corresponds with what we learn by a study of the laws and customs of our modern life, to lay by far the larger burden of responsibility on forces outside and beyond the government of the errant one. In unison with this comes also the thought that towards this view tend the lessons of a true religion and a large kindness. To see how outraged, groping, suffering, and enduring humanity clings to rightness of conduct and sanity of mind, leads us to the profoundest honor and reverence of our kind.

All of these considerations are of the greatest interest and far-reaching value, so far as concerns the origin and the prophylaxis of crime and insanity, but my contention would be pointless and my logic most lame if I did not at once add, that so soon as the overt act, that is, the proved criminal or mentally incompetent, stands before you, his judge, the whole question of responsibility or irresponsibility sinks at once and wholly out of sight. No judge or jury or expert should have anything whatever to do as to the prisoner's responsibility for his act. The whole Gordian knot is cut at one quick stroke by the staring, evident fact that nothing less than divine omniscience is in the least capable of deciding the question, or of meting out the punishment according to guilt. It is a bald, hideous, and stupendous absurdity, this ridiculous assumption either of power or of right on the part of any human being to explore the hidden recesses of the mind and to decide how far sanity has been driven out, and how far that strange mystery of individuality has sinned against its own light and by its own consent.* Every good, modest, and large intelligence knows this is so and mourns the barbaric shame that keeps the enormity upon our statute books.

As a necessary corollary you will have foreseen that, in my view, the death penalty should be abolished. Words fail me to express the hideousness of this last relic of savagery in an age of so-called civilization or even of good sense. There is not a single thing that can be said in its favor that is not at once annihilated by a spark of common sense or common justice. Whilst private retaliation and vengeance were allowed, an eye for an eye and a life for a life were excusable; but in taking away from the wronged man the right to kill his injurer, you have left retaliation and vengeance behind as unworthy and useless examples of barbarism. Lord Bramwell's deterrent theory of punishment collapses like a soap-bubble when you probe it with fact or logic. It is on a par with Niemeyer's approval of the dictum of the wife of a Prussian general that whooping-cough is only curable with the rod; and also Prof. Ruhle's recommendation of the shower-bath and birch-rod in certain cases of chronic vomiting. It is said that Quinet's mother used to hire a strapping fellow to come every Saturday and thoroughly thrash all the children, just on general principles! The courts, judges, and experts should act in the same way with the whole human race, for we are certainly all guilty. If the deterrent theory is the right one, then why do we not execute children and the insane. There is not the least doubt that both children and very many insane love their lives, and are even more keenly alive to the fear of punishment than most criminals, and yet, hang a child, and outraged society would justifiably rise in horror and mob sheriff, jury, and judge. Indeed, it may with much truth be urged that the so-called deterrent effect often has a stimulative effect. Dr. Guy tried to show that the execution of a lunatic was always followed by a crop of new murders. Bramwell asserted that many lunatics relied on immunity from punishment for crime on the ground of their own lunacy. Every resident or nurse in an insane asylum will acknowledge that there is more deviltry than insanity about many of their cases, and that if the fist or some equally servicable, but less brutal means could be used in return, much of the combined *diablerie* and lunacy would disappear. Humanity recognizing the incompetency of the deterrent theory has turned from it with the bungling make-shift and stop-gap of insanity, and at the present rate every villain will soon be excused as a crank.† The mere financial aspect of judicial murder is enough to condemn it. A man commits a crime; you spend thousands and hundreds of thousands of dollars to try him (because of your deterrent and punishment theory it is of infinite importance that no mistake be made), and then after this you spend thousands more to kill him. But his life is certainly of some financial value. It is worth $14,600 at the age of 21, according to the present average rate of wages and probability of duration of life. You have spent several thousands of dollars to procreate and raise him to manhood; he is capable of working for you all his life; you have the right of making him work for you;—and yet you kill him in the most expensive way possible. I call that very lunacy of justice and the most egregious of follies.

The whole modern idea of punishment is a relic of barbarism and should be eradicated from jurisprudence, since by its very nature it can neither be just nor prudent.‡

* With its 300,000,000 inhabitants China has no asylum for the insane. At the Shanghai hospital where 22,000 patients are treated annually, there were but eleven cases of insanity among the number.

* A ridiculous example of this is to be seen in the April, 1889, number of the Journal of mental science, where a believer in his own power to penetrate the mystery of mind and crime gets sadly tangled in his own nets. A poor hectored and starving workman finding the sorry farce of life a bitter tragedy, kills his own beloved baby, rather than permit self and child to continue the bootless struggle. As if "enteric fever" or the "span of his arms" had anything to do with it! Such "science" is enough to make the angels weep.

† "Society having manufactured its criminals has scarcely the right to treat them in an angry spirit of malevolence."

‡ Lord Justice Frey said that "Punishment is an effort of man to find a more exact relation between sin and suffering." I would say that civilized

The essence of the English law consists in the statement that "to establish a defence on the ground of insanity, it must be proved that at the time of committing the act the accused was laboring under such a defect of reason from disease of the mind as not to know the nature and quality of the act he was doing, or if he did know it, that he did not know that what he was doing was wrong."

The essence of my protest consists in this:

1. No human power in a specific case can decide as to either point, and it is folly to pretend to do so.*

2. The tendency of both theories is to increase the evil, not limit it.

3. If we do our first duty: deprive both classes of liberty and of power to reproduce their like, and try to cure them, it doesn't make a fig's difference which theory is right, because both must then be ignored. The only sensible position is simply this: when a person either by crime or incapacity to care for himself has forfeited his right to freedom, then the people must take that freedom away. We have no earthly right to kill in return for crime done. We should reorganize the treatment of criminals and lunatics upon the sole principles of protection of the community and reformation of the law-breaker and mind-reader, to the utter exclusion of the idea of punishment or of deterring others,—the whole upon the most economic basis possible. Protection, reformation, economy; it is self-evident that these should be the ideals aimed at; but it is just as indubitable that present methods except bunglingly and partially neither aim at, nor secure either, but instead do often seem as if devised to secure the reverse. They certainly do not protect the community in hardly any imaginable way; they exaggerate and create both crime and lunacy, and no dozen of prize boodler aldermen could have invented a more expensive system of not doing justice, and of fleecing the tax-payer. As illustrative of the financial aspect: it is costing Great Britain something like twenty millions of dollars a year to care for her insane, and the amount will rise to thirty millions within ten years. It is simply impossible to estimate the bills of the police, the judge, and the jailor in the cause of crime.

As to social protection, every one knows it is a farce only equalled by the pretense that it does protect. In the recoil from the old heathen judicial murder, and, in lachrymose snivel, we adjudge most criminals lunatics, or if we can't do that, we put them in a pandemonium that, with caustic malevolence, we call a penitentiary, and a little later, with full powers of reproducing their like, and with hate, not penitence, in their hearts, we let them slip back into the bosom of the community, by the mysterious fatuity of a discharge from an asylum superintendent overburdened with his load, or a pardon by a possible political bummer miscalled a Governor. Then if Dean Swift were turned deity he could not have instituted a more sardonically bitter stroke than that now perpetrated by the greatest state of our civilized and Christian America: that of supporting in enforced idleness her malefactors who beg for work, and who from want of it, are going mad at the rate of thirty-seven in the past six months.

If we turn to the idea of reformation a still more remarkable spectacle is offered us. So far as the "penitentiary" is concerned, it is more apt to make everybody else penitent except the criminal. Even pretense at reformation has long ago passed into a joke of the chaplain, and if, while working out his sentence, the poor devil of a criminal do not lose the last ray of morality and hopefulness it is no fault of the system. If on the other hand, we look for a therapeutic zeal commensurate with the dogmatism of the school that holds mental diseases to be wholly physical, we are astounded to find that cure* and cause are things of little interest. It is no less an authority than Tuke that says† "we seek in vain in our asylums for any evidence of the systematic inquiry into the treatment of these conditions. The public thinks that madness can be eliminated by entertainment, and the Superintendent is bound to work up to this theory. These great etablishments instead of developing into great hospitals for the cure of disease, have done little more than maintain a high character as model lodging houses for the insane." This indictment is nailed with the fearful charge that but one contribution to the pathology or therapeutics of insanity worthy to be called scientific has appeared as an offset or rival to the giant strides of progress in every other department of science and medicine. In fact, what ingenuity could devise a better method of making, exaggerating, and confirming madness than to huddle hundreds and thousands together suspected or convicted of mental defect? That this is so, even Tuke admits, and says further: "What every case demands as the primary condition of recovery is separate and individual treatment and consideration."‡

In olden times the piano-forte-tuners used to have an octave in which all the dissonances and discords of the whole keyboard were gathered, that they didn't know how to distribute and harmonize. They called this octave, "the Devil," and the player, of course, had to avoid it as much as possible, or touch it very gingerly.

The pith of the whole matter consists in the fact that in our life the sociological tuner cannot confine his "Devil" within the limits of one octave. By dint of an unmorality that is only equalled by the development of sly cunning, the modern intellect has got ahead of the antique conscience and is fast leaving criminal jurisprudence as a curiosity of "ye olden time." That is to say, like the modern piano-tuner, we have, so far as true criminality is concerned, succeeded admirably in distributing "the devil" throughout the whole seven octaves of society. But as regards lunacy the old plan of the single octave has been rigidly adhered to with the inevitable result that the devil is overrunning his octave and threatening to absorb a big part of the key-board. In 1879 Professor von Krafft-Ebing, the well-known alienist, estimated that in the most civilized peoples there was one insane person to every 500 of the population. More recent statistics show the proportion to be more nearly one to every 300, or 400. All statisticians are agreed that the greater the civilization, the higher the ratio of the insane, and that without exception the increase is far higher than that of the population.§ In less than a dozen modern nations there are to-day about a million lunatics. While the general population doubles, the number of the insane increases three, or four fold. The number is kept much lower by what may be called the obverse of the medal; the fact of suicide, that is also growing three or four times faster than population. The number of idiots, blind, deaf-mutes, and criminals, is likewise increasing more rapidly than the people who have to support and care for them. We have now probably six or seven, perhaps eight hundred thousand such folk as one of our burdens in this country.

In view of the rapidly increasing load would it not be advisable to remodel our penal laws and those regulating the treat-

jurisprudence should have nothing whatever to do or say about sin, suffering, or the relation between the two.

* It is gratifying to see that a halt is called by the Supreme Court of New York: according to a late decision the expression of an opinion on the part of a physician that a man is insane on any other ground than that he is dangerous to himself or others renders the physician liable to a suit for damages.

* In 1870 Sir Arthur Mitchell found that out of 1297 patients admitted into Scottish Asylums in 1858, 474 died in the asylums, 412 were then alive as chronic lunatics, and 411 had died, or were alive, sane. This is a worse mortality than hydrophobia.

† Nineteenth Century, April, 1889.

‡ Walford says the mortality in public institutions is ten times as great as the general morality.

§ In Great Britain the average annual increase of lunatics in asylums has been 1580, and the gross registered increase 45,881. In Paris the number in 1872 was one lunatic to 1212 of the population. In 1886 the proportion was one to 1091.

ment of lunatics in some way that shall accomplish the decrease and not the increase of these classes? Would not this end be sought more rationally by the following means:

1. The complete eradication from legislation and jurisprudence of all ideas of punishment and of the deterrent effect of the same, sentence to loss of freedom being given upon certain proof either of criminal act or incapacity of self-support or self-control.

2. The establishment of a non-political, highly paid State Board of Control of the highest Medical, Legal, and Administrative ability, which shall have charge of the combined Defective, Dependent and Delinquent classes, the discharging or pardoning power to reside in this Board alone.

3. The Treatment of these classes to be organized so far as possible upon an economic basis, but always with the sublime and steady purpose of Cure in view.

4. The Protection of the Community, and the safe-guarding of the future against the inheritance of criminal and unsound taint, by the enthanasia of idiots, monstrosities, etc., the interdiction of marriage of paupers, and of the physically unsound, and by the asexualization of the law breaker and the mentally unsound.

The thoughts underlying this writing might be summarized as follows:

1. The unvarying testimony of statistics and students of sociology is that the defective, dependent, and delinquent classes and suicide, as a whole, are, in all civilized nations, steadily and continuously increasing much faster than the increase of the communities supporting them; this shows that something is radically wrong as to the causes and the societies producing these classes; it is, indeed, a wrong that cannot fail in time to bring society to a very literal *reductio ad absurdum,—seu ad lunaticum.*

2. Though not wholly, this wrong is found to consist chiefly, in the vicious structure of society, economically and morally, in a perniciousness of ideal and custom that can but yield a fruitage of criminality and mental wreckage.

3. The half-conscious, half-smothered feeling of this communal responsibility, co-operating with the criminal's efforts by legal technicality, and by medical aid, has served to the same end by legalizing and excusing crime in the community, or by covering it with the cloak of insanity.

4. The aid rendered by a certain school of medical writers and experts to this morbid tendency has been based upon the theory that crime and mental disease are simply the effects of criminal or cerebral atypism and brain disease, and therefore anatomically necessitated. This theory is not only not proved, but is disproved by a number of unanswerable facts, and considerations, and is a stultifying argument to use by those whose field of medical study has shown the least progress, and in which therapeutics has hardly entered.

5. Our legal sentences should be divested of all thought of punishment or of deterrent effects, the asylum and penitentiary combined and put under one management, the clinical examination and study of the pathogenesis of these conditions furthered, and all with the sole end of cure and of prophylaxis.

To hasten the flow of dreary hours a gifted woman once wrote a gruesome tale of how a cunning but shortsighted delver and experimenter in lifes' mysterious genesis, got together many old and foul gatherings from cemetery and from dissection-room, and created a living monster, of wonderful growth and power, but without a touch or breath of divinity. Love and sympathy of a certain kind it indeed sought and hungered for, but the miserable wretch was shunned by all. It soon became conscious of its own moral deformity and hideousness, and in detestation of its own life it came to hate the author of its being. Growing ever more powerful, it restlessly and viciously plotted the injury and ruin of its unfortunate creator.

CORRESPONDENCE.

PRIVATE PROPERTY IN LAND.

To the Editor of THE OPEN COURT:—

HAVING had a job of work to do in another part of the State, I am in arrears to the critics who testify against me in Nos. 96 and 97. I beg a little space that I may pay to all of them the respect of a reply.

Mr. Lynch makes a strong case, and the object-lesson he presents is valuable. It shows how unfairly taxation may be apportioned between the resident owner of a town lot, and the non-resident owner of the adjoining lot, who holds it for speculation only. In this inequality lies the popularity of Mr. George's doctrine. I think this wrong can easily be righted by fairer methods of assessment, but will Mr. Lynch explain how it can possibly be cured by sweeping both lots into the gulf of confiscation?

Mr. William C. Wood, of Gloversville, N. Y., overwhelms me with the portentous warning that I have "raised up a mightier adversary than Mr. George—the combined legal and judicial talent of the civilized world." This reads like the challenge of the circus bills which I see on the fence across the street, a style of literary composition greatly affected in these days, and which I have always admired. It gives a piquancy to the double chestnuts of the clown, and the double somersaults of the man who jumps over eight horses and an elephant. I enjoy a friendly wrestle in THE OPEN COURT with men of my own calibre, or with men a trifle heavier than I am, but I do not care to try a fall with "the combined legal and judicial talent of the civilized world." I think it is hardly fair to bring such a combination against me. However, as Mr. Samuel Weller said on his way to the swarry, "I'll try and bear up agin such a reglar knock down o' talent." I will do the best I can.

Mr. Wood confines himself to massive law, and he gives authority to his legal argument by adding M. D. to his name, as if the discussion were a mere matter of measles or lumbago. A doctor prescribing law is like a lawyer prescribing physic. To rely on either prescription is hazardous. "The cobbler to his last" is an old proverb, I forgot the Latin of it; indeed I never knew it, but the philosophy of it is good in any language, and will keep in any climate. To be sure, a blacksmith may make a watch, but he is liable to leave out some important wheels necessary to its perfect mechanism. A doctor may draw a tooth, and still not be able to draw a bill in chancery, because he is liable to leave out some important wheels essential to the perfect mechanism of the bill. When I want a patch put on my boot I go to a cobbler; when I want a fever cured I go to a doctor; and when I want a bit of law, I go to a lawyer for it, if I can afford to do so. It costs more than the jurisprudence I get from the tinker, albeit, he is a wise man among kettles, but it is cheaper even at the higher price. For these reasons, not feeling competent to contradict the law of land as asserted and expounded by Dr. Wood, I consulted a lawyer, and he told me that Dr. Wood was wrong on every point, for which misfortune, being a doctor and not a lawyer, he is not at all to blame. My legal adviser, not having time to attend to the matter, told me to consult a New York lawyer by the name of Kent, and I did so.

Without any legal assistance I could see at a glance that some of Dr. Wood's law was error. For instance, this: "No man absolutely owns land. He may hold, it is true, an *estate* in the land. This *estate* consists of three things; the right of possession, the right of enjoyment, and the right of disposition." I could see in a moment that this curious bit of law came out of the surgery, because my landlord, the man who owns the house in which I live, has not the right of possession. He is owner of the house and lot,

but the right of possession is in me. He has given me a lease of the place for one year. From this I think that several men may own several estates in the same piece of land, according to the quantity of interest that each man hath therein. I may incidentally mention that Blackstone agrees with me in this, which is a fortunate thing for Blackstone.

With praiseworthy self-confidence Dr. Wood expresses his medical opinion that even such right in land as a man may have is "subject to the right of the State to alter or defeat it." I did not need legal advice on this part of the subject because I remembered that this "right of the State" is expressly denied by the American constitution, wherein it is declared that "private property shall not be taken for public use without just compensation." Here the right of the citizen to own land, even as against the State, is recognized and protected by the organic law. So long as the constitution remains as it is now, the State has no right to "alter or defeat" the estate of ownership which a man may have in his land. I also remembered that once I "entered" a forty acre tract in Iowa, for which I paid the government fifty dollars. In return for the money I received a patent from the United States transferring the estate from the government to me, and my heirs and assigns for ever. There was nothing said in the deed about the right of the government to resume the title to the land and to confiscate it after scooping my fifty dollars into the treasury. My ownership of the forty acres was complete as soon as I received the patent, and that ownership was made secure to me by the Constitution of the United States.

Dr. Wood, in the dogmatic style which professional men employ, asserts that "absolute private property in land has no legal existence and is an impossibility being incompatible with civil government." I offer as evidence against that statement one of the most conspicuous facts in civilization, the government of the United States, under which men actually enjoy the right of absolute private property in land. I find in the United States, compatible with private property in land, a very good quality of civil government. It is not perfect by any means, but comparatively speaking it is a fair article of government as governments go. It is quite certain from this evidence that absolute private property in land has a legal existence in the United States, and is not incompatible with civil government; but it is not at all certain that civil government of the best quality could exist without the right of private property in land.

I am somewhat acquainted with real estate, having dug and wheeled a good deal of it, but I am not quite so familiar with the law of land as I am with the weight of it on a shovel. I therefore make the following statements on the authority of my legal adviser, Chancellor Kent, of New York. He once wrote a book entitled "Commentaries on American Law," I think that was the name of it, and speaking of land-ownership in the United States, he says:

"Though the law in some of the United States discrimi ates between an estate in free and pure allodium and an estate in fee-simple absolute, these estates mean essentially the same thing; and the terms may be used indiscriminately to describe the most ample and perfect interest which can be owned in land. The words *seizin* and *fee* have always been so used in New York whether the subject was lands granted before or after the revolution; though by the act of 1787, the former were declared to be held by free and common socage, and the latter in free and pure allodium.

"The New York Revised Statutes have abolished the distinction, by declaring that all lands within the State, are *allodial*, and the entire absolute property invested in the owners, according to the nature of their respective estates."

In order to ascertain the meaning of "allodium," which I thought must be some kind of metal, I searched in Webster's dictionary, and there I found the following definition of the word: "Allodium, land which is the absolute property of the owner; real estate held in absolute independence, without being subject to any rent, service, or acknowledgement to a superior." This is about as plain as print can make it, and it must be quite a revelation to Dr. Wood that all lands in his own State are *allodial*, and the entire, absolute property invested in the owners. It is to be regretted that Dr. Wood neglected to examine the subject a little before writing his commentaries on the law of real estate, because they are so "incompatible" with those of Chancellor Kent, and so curiously at variance with the Revised Statutes of New York. The law of New York making all the lands *allodial* is the law of all the States, and on this matter Chancellor Kent makes the following remarks:

"In many of the States there were never any marks of feudal tenure, and in all of them the ownership of land is essentially free and independent."

Dr. Wood tells us he is aware that the State has treated land as though it were actually private property. Chancellor Kent has now told him the reason why. The State treats land as though it were actually private property, because it actually *is* private property, declared to be so by the law, and protected as private property by the constitution of the United States. From all this it appears that it is Dr. Wood who is combating "the combined legal and judicial talent of the civilized world." WHEELBARROW.

THE LOST MANUSCRIPT.*

BY GUSTAV FREYTAG.

CHAPTER XXXIX. — Continued.

"I do not wish to make a long demand upon the time of my most Serene Lord," began the courtier. "Prof. Werner begs that your Highness will consent to receive him before his departure."

"What is the cause of this importunity?" exclaimed the Sovereign; "he has already been here, and I have refused him."

"I must be permitted to make the respectful remark that after all that has passed, the honor of a personal interview cannot well be refused him. Your Highness would be the last to approve of so marked a violation of seemly considerations."

The Sovereign looked vindictively at the High Steward.

"All the same, I will not see him."

"Besides these considerations, it is not advisable to refuse this interview," continued the old lord, with emphasis.

"Of that I am the best judge," replied the Sovereign, carelessly.

"This person has become privy to certain things, the exposure of which, for the sake of the princely dignity, must be avoided, even at a heavy sacrifice, for he is not bound to keep the secret."

"No one will listen to an individual, and a dreamer at that."

"What he will divulge will not only be believed, but will excite a storm againsst your Highness."

"Gossip from bookworms will not hurt me."

"This person is a highly-respected man of character, and will use his observations to demand of the whole civilized world that the possibility of similar occurrences at this Court should be made impossible."

*Translation copyrighted.

"Let him do what he dare," cried the Sovereign, with an outbreak of fury, "we shall know how to protect ourselves."

"The exposure may yet be guarded against; but there is only one last and radical remedy."

"Speak out, your Excellence; I have always respected your judgment."

"What inflames the Professor," continued the courtier, cautiously, "will become generally known; at all events it will produce a great sensation and dangerous scandal; nothing further. It was a personal observation only that he was compelled to make at the foot of the tower; it was a conjecture only which he gave vent to beneath the same tower. According to his assertion, two attempts have been made, and yet neither has been followed by evil consequences. To be able to provoke the public judgment of the civilized world on such grounds is doubtful. However upright the narrator may be, he may himself have been deceived. Your Highness remarks rightly that the irritation of a single scholar would occasion disagreeable gossip, nothing further."

"Most admirable, your Excellence," interrupted the Sovereign.

"Unfortunately there is one important circumstance that I have not yet added. With respect to that personal observation at the foot of the tower, the Scholar has a witness, and *I* am that witness. When he calls upon me for my testimony and speaks of my personal observation, I must declare that he is right, for I am not accustomed to consider half-truth as truth."

The Sovereign started.

"It was I who restrained the hand," remarked the courtier; "and because that simple scholar is in the right, and because I must confirm his views concerning the state of my gracious master's health, I tell you there is only one last and radical remedy." The High Steward took the document out of the portfolio. "My remedy is, that your Highness should, by a great resolve, anticipate the storm, and high-mindedly consent to make this declaration the expression of your will."

The Sovereign cast a look on the paper, and flung it away from him:

"Are you mad, old man?"

"Insanity has not yet been discovered in me," replied the High Steward, sorrowfully. "If my gracious master would but weigh the circumstances with his usual acuteness! It has unfortunately become impossible for your Highness to carry on the duties of your high calling in the way you have hitherto done. Even if your Highness considered it possible, your faithful servants are in the painful position of not partaking of this opinion."

"These faithful servants are my High Steward?"

"I am one of them. If your Highness will not consent to give your princely approbation to this project, consideration for that which is dearer to me than your Highness's favor will forbid my remaining in your service."

"I repeat the question, have you become insane, Lord High Steward?"

"Only deeply moved; I did not think that I would ever have to choose between my honor and my service to your Highness."

He took out another document from the portfolio.

"Your resignation," exclaimed the Sovereign, reading. "You should have added to it, 'with permission.'" The Sovereign seized the pen. "Here, Baron von Ottenburg, you are released from your office."

"It is no joyful thanks that I express to your Highness for it. But now it is done, I, Hans von Ottenburg, express to you my respectful request that your Highness would still, at this hour, be pleased to sign the other document. For in case your Highness should hesitate to fulfil the earnest entreaties of a former servant, this same request, from now on, will be forced upon your Highness's ear in many ways, and by persons who would not use so much consideration for your Highness as I have hitherto done. Till now there has been one who has begged of you, a professor,—now there are two, he and I,—in another hour the number will become burdensome to your Highness."

"A former High Steward, a rebel!"

"Only a petitioner. It is your Highness's right, of your own free will, to make the high decision to which I endeavor to influence you. But I beg you once more to consider that it can no longer be avoided. Your Highness's Court will, in the next hour, be brought front to front with the same alternative as myself; for my regard for the honor of these gentlemen and ladies will compel me, on the same grounds which have led to my decision, not to be silent with respect to them. Without doubt, the gentlemen of the Court will, like me, approach your Highness with earnest entreaties, and, like me, will resign in case their entreaties are unsuccessful, and without doubt your Highness will have to find new attendants. Respect for the honor and the office of those who rule under you will oblige me to make the same communication to your Highness's ministers. True, these also might be replaced by less important servants of the State. But further, from loyalty and devotion to your Highness's house, from anxiety about the life and welfare of the Hereditary Prince and his illustrious sister, as well as from attachment to this country in which I have grown gray, I see myself obliged to appeal to every Government connected with ours for an energetic enforcement of this my request.

As long as I was a servant of the Court, my oath and allegiance compelled me to silence and careful regard for your Highness's personal interests. I am now relieved from this obligation, and I shall from henceforth advocate the interests of our people in opposition to those of your Highness. Your Highness may yourself judge what that would lead to; this signature may be put off, but can no longer be avoided. Every delay makes the situation worse; the signing will no longer appear as the voluntary act of a high-minded decision, but as a necessity forced upon you. Finally, let your Highness bear in mind that the Professor has made in the Tower Castle another important observation,—another with respect to the conduct of a certain Magister; it is my destiny to know much which does not belong to the secrets of my department."

The Sovereign lay on his sofa, with his head turned away. He folded his hands before his face. A long oppressive silence intervened.

"You have been my personal enemy from the first day of my reign," suddenly put in the Sovereign.

"I have been the faithful servant of my gracious master; personal friendship has never been my portion, and I have never simulated it."

"You have always intrigued against me."

"Your Highness well knows that I have served you as a man of honor," replied the Baron, proudly. "Now, also, when once more I beg of you to sign this document, I do not stand upon the right which many years of confidence give me with your Highness; I do not advance as an excuse for this repeated importunity the interest that I have been entitled to take in the dignity and welfare of this princely house; I have another ground for relieving your Highness from the humiliation of a public discussion of your Highness's state of mind. I am a loyal and monarchically-minded man. He who has respect for the high office of a prince is under the urgent necessity of guarding this office from being lowered in the eyes of the nation. This he must do, not by concealing what is insupportable, but by extirpating it. Therefore, since that scene in the tower, there has been this struggle between me and your Highness, that I, in order to maintain your Highness's exalted office, must sacrifice your Highness's person. I am determined to do so, and there consequently only remains to your Highness the choice of doing that which is inevitable, of your own free will, and honorably in the eyes of the world, or dishonorably and at the instance of importunate strangers. The words are spoken; I beg for a speedy decision."

The old lord stood close before the ruler. He looked firmly and coldly into the restless eyes of his former master, and pointed with his finger fixedly to the parchment. It was the keeper conquering the patient.

"Not now—not here," exclaimed the Sovereign, beside himself. "In the presence of the Hereditary Prince I will take counsel and come to a decision."

"The presence and signature of your ministers are necessary for the document, not the presence of the Hereditary Prince. But as your Highness prefers signing in the presence of the Prince, I will do myself the honor of following your Highness to Rossau, and beg one of the ministers to accompany me for this object."

The Sovereign looked reflectively down.

"I am still a ruler," he exclaimed, springing up; and seizing the signed resignation of the High Steward, he tore it up. "High Steward von Ottenburg, you will accompany me in my carriage to Rossau."

"Then the minister will follow your Highness in my carriage," said the old lord, calmly. "I hasten to inform him."

CHAPTER XL.

ON THE ROAD TO THE ROCK.

Towards the quiet country town which pious colonists had once built about the monastery walls of praying monks, and towards the rock on which the heathen maiden had once whispered oracles to her race, were now hastening along different roads horses and wheels, together with living men who were seeking the decision of their fate; here joyful, rising hopes—there downward, declining powers; here the pure dream of enthusiastic youth—there the destructive dream of a gloomy spirit. In the valley and over the rock hovered the spirits of the country; they prepared themselves to receive the flying strangers with the hospitality of home.

The early dawn sent its pale glimmer into Laura's study; she stood by her writing-table, and cast a lingering look on the familiar book in which, with rapid hand, she had written the concluding words. She fastened the book and the Doctor's poems together, and concealed them under the cover of her trunk. She cast another look on the sanctuary of her maiden life, and then flew down the stairs into the arms of her anxious mother. It was a wonderful elopement—a quiet Sunday morning, a mysterious light, gloomy rain-clouds, contrasting strongly with the deep red glow of morning. Laura lay long in the arms of her weeping mother, till Susan urged her departure; then she passed into the street, where the Doctor awaited her, and hastened with him into the carriage; for the carriage was ordered to wait in a deserted place around the corner, and not before the house; upon this Laura had insisted. It was a wonderful elopement—a modest, sedate traveling-companion, the object of the journey the house of a loved friend, and, lastly, a large leather bag containing cold meat and other victuals, which

Mrs. Hahn herself carried to the carriage, in order that she might once more kiss her son and Laura, and bless them amid tears.

Spitehahn had for several days found it difficult to bear his lonely existence; since the departure of the learned lodgers he had been much disturbed, but when the master of the house also disappeared, there was no one to recognize him. This morning he cast cold glances on Laura as she hovered round her sorrowing mother, and looked askance at Susan when she carried the great traveling-trunk to the carriage; then he sneaked out into the street in order to give expression to his hatred of the neighboring house. But when Mrs. Hahn hastened to the carriage with the leather bag, he saw that something was wrong and he crept after his neighbor from across the way; and whilst she mounted on the step of the carriage to warn her Fritz of the sharp morning air, and to kiss Laura once more, he sprang upon the footboard and ensconced himself under the leather apron of the coachbox, determined to abide his time. The coachman seated himself, and supposing the dog belonged to the travelers, cracked his whip and started off. Another look and call to the mother, and the adventurous journey began.

Laura's soul trembled under the pressure of passionate feelings, which were called forth by this long-desired but dreaded hour. The houses of the city disappeared, and the poplars on the high road seemed to dance past. She looked anxiously at her Fritz, and placed the tips of her fingers in his hand. He smiled, and pressed the little hand warmly.

His cheerfulness was a support to her. She looked tenderly into his true face.

"The morning is cool," he began, "allow me to fasten your cloak."

"I am very comfortable," replied Laura, again putting her trembling hand within his.

Thus they sat silently together, the sun peeped modestly from behind his red curtains and smiled on Laura, so that she was obliged to close her eyes. Her whole childhood passed before her in fleeting pictures; and finally, she heard the significant words of her friends at her last visit. Her godmother had said to her, Return soon again, child; and Laura now felt with emotion that this return was at an immeasurable distance. Her other godmother had kindly asked, When shall we see each other again? and a touching echo sounded in Laura's heart, Who knows when? All Nature was stirring in the fresh morning: a flock of pigeons flew across the field, a hare ran along the road as if racing, a splendid cluster of blue flowers grew on the border of the ditch, and red roofs shone from among the fruit trees. Everything on earth looked green and hopeful, blooming and waving in the morning breeze. The country people who were going to the city met them, a peasant sitting on his waggon smoking his pipe nodded a good morning to Laura, who held out her hand as if she wished to send a greeting to the whole world. The milkwoman in her little cart, who was going to sell her milk, also greeted her, saying, "Good morning, Miss Laura." Laura drew back, and, looking alarmed at Fritz, said:

"She has recognized us."

"Without doubt," replied the Doctor, gaily.

"She is a gossip, Fritz; she cannot hold her tongue, and will tell all the servant girls in our street that we are driving together along this road. This distresses me, Fritz."

"We are taking a drive," replied the Doctor, triumphantly; "going to pay a visit to some one; we are going to act as sponsors together in the country. Do not mind these trifles."

"It began by our being sponsors together, Fritz," answered Laura, tranquilized. "It has all been owing to the cat's paws."

"I do not know," replied Fritz, slyly, "whether this misfortune did not originate earlier. When you were quite a little girl I kissed you once."

"I do not remember that," said Laura.

"It was for a basket of colored beans that I brought you from our garden. I demanded the kiss, and you consented to give the price, but immediately after wiped your mouth with your hand. From that time I have liked you better than all others."

"Do not let us talk of these things," said Laura, troubled; my recollections of old times are not all so harmless."

"I have always been kept at a distance," exclaimed Fritz, "even to-day. It is a shame. It must not go on so; I must have some serious talk about it. Travelling together as we are, it is not fitting that we should use the stiff *you* in talking to one another."

Laura looked reproachfully at him. "Not to-day," she said, softly.

"It is of no use now," replied Fritz, boldly. "I will no longer be treated as a stranger. I once heard the honest *thou* from you, but never since. It pains me."

Laura regretted that. "But only when we are quite alone," she entreated.

"I propose it for all time," continued Fritz, undisturbed, "otherwise there will be continually mistakes and confusion."

He offered her his hand, which she shook gently, and before she could stop him she felt a kiss on her lips.

(To be continued.)

SELECTIONS FROM THE GERMAN.

TRANSLATED BY MARY MORGAN (GOWAN LEA).

XVII.

GOOD DEEDS.

Good deeds, although in silence done,
Live on forever, every one—
Rare flowers that Time cannot forget,
Bright-glowing stars that never set.
—*Claudius.*

XVIII.

TO ONESELF.

Be wholly undismayed; be calmly unsubdued;
Though envy should oppose and petty jealousy;
At harmony with self, complain not bitterly
Though Fortune, Time, and Place be with thy will at feud!
What saddens or uplifts, elected is of Fate.
Take hold of circumstance; waste nothing in regret;
Do that which must be done; thy chance is coming yet;
That which thou livest for shall crown thee soon or late.

Man blames or praises—what? An ill or lucky star.
Heed not the multitude, but view things as they are;
For all rests with thyself. Let phantoms not beguile;
And ere thou farther go, be sure thy soul to scan.
Who his own ruler is and himself conquer can,
Shall subjugate the world, unswayed by it the while!
—*Paul Fleming.*

XIX.

FAREWELL.

Hark! 'tis the shepherd sounding,
Afar, his evening strain;
The rustling of the forest
And stream makes a refrain.

Behind yon hill is shining
A glow of sunlight rare—
My soul, spread now thy pinions
And waft me over there!
—*Eichendorff.*

XX.

JOY.

Joy! O beauteous spark of heaven—
Daughter from Elysium sprung,
Tread we with enthusiasm
All thy holy courts among!
Thine the talisman uniting
Those whom fortune would divide;
All mankind become as brothers
If thy happy smile abide!
—*Schiller.*

NOTES.

The Cosmopolitan for August contains an article by Cardinal Gibbons on "The Dignity, Rights, and Responsibility of Labor."

In the *Revue Philosophique* of July appear the following essays: "De la Possibilité d'une Méthode dans la Science du Réel," M. F. Evellin; "L'Energie et la Vitesse des Mouvements Volontaires," M. Ch. Féré; "Les Formes les plus élevées de l'Abstraction," (conclusion), M. F. Paulhan; Analyses, Comptes-Rendus, etc. The researches of M. Féré are accurate and exhaustive.

The following are the contents of *Mind*, for the present quarter: "The Psychology of Belief," Prof. William James; "The Psychological Work of Herbart's Disciples," G. F. Stout; "The Empiricist's Position," Prof. A. Bain; "On Some Facts of Binocular Vision," J. H. Hyslop; "Motor Objects and the Presentation-Continuum," M. E. Lowndes; with the usual critical notices, reviews, etc., in the several departments of philosophy and psychology.

Biblia, and The Building News, is the title of a little journal whose purpose is "educating and interesting the people in Building and Loan Associations." In effect, it is two papers in one, for the greater part is devoted to the exposition of Biblical science; it contains essays exegetical and critical, the Book of Genesis in the original Hebrew, with an interlinear translation, and promises to print in like manner the New Testament in the original Greek.

A correspondent, Mr. Michael Corcoran, of Lincoln, Nebraska, writes us in criticism of Mr. Shipley's letter "Thoughts on the Bruno Celebration." Mr. Corcoran regards the Pope's admission that his "Spiritual authority and moral influence are being overthrown" as merely a facile stroke of policy, a "way of saying 'I told you so,'" and thus fortifying in the future the position of the church and ensuring the acceptance of papal advice. Mr. Corcoran also protests against the inconsiderate deification of liberty of thought. Mr. Corcoran thinks that the constant repetition of the cry for free thought has become wearisome to the public; there existing no necessity of this clamor for a privilege which every individual possesses.

The Humboldt Publishing Co., 28 Lafayette Place, New York, have recently issued "The Story of Creation—A Plain Account of Evolution," by Edward Clodd, F. R. A. S, and "The Pleasures of Life," by Sir John Lubbock. Writing of the former work a London critic says: "Surely the astounding history of the evolution of the visible universe has never been told more popularly, perspicuously, and pleasantly than in this volume." Our readers who have neither the time nor the courage to read the more voluminous works on the subject of evolution will be much pleased with the concise and vigorous account given in this latest book by Mr. Clodd. The latter of these two publications constitutes Part II of "The Pleasures of Life." The subject is divided into thirteen sections: Ambition, Wealth, Health, Love, Art, Poetry, Music, The Beauties of Nature, The Troubles of Life, Labor and Rest, Religion, The Hope of Progress, and The Destiny of Man. Sir John Lubbock's work is mainly a collection of well-selected and annotated quotations; it is the view of mankind on the pleasures of mankind's life.

We quote the following from "The Abuse of Fiction," by Mr. Walter Lewin, in the August *Forum*. We hope that the opinion expressed will remain uppermost in the minds of our readers, when, leaving occasionally the pages of The Open Court, they seek, in the literature of fiction, supplementary intellectual enjoyment. "Not many years ago," says Mr. Lewins, "philosophy "being in a tangle, as it often is, the cry was raised, 'Back to "Kant"; and for fiction, when the time is ripe, the cry must be, "Back to Scott.' * * * His work is genuine; it 'never grows old "or stale;' we can 'return to it again and again'; it has 'the "coolness and clearness and deliciousness of the water fresh from "the fountain-head.' Scott is unconscious alike of his art and of "what is termed moral purpose; he is '*un*moral,' to use Mr. Ash-"croft Noble's phrase. Like Shakespeare, he has no theory to "uphold. He is content to report clearly and truly just what is, "without deductions or suppression. Nevertheless, or rather, just "because of this, his novels are rich in benefit to every healthy "mind, and are what all novels should be and all true novels "must be, a moral force in the world. The novels of the future "may be romantic, or psychological, or homely, or all three; the "only essential condition is that they shall be true in the sense "that 'Waverley' and 'The Heart of Midlothian' are true."

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